

Weekly Update for John Goodin on 404(g) Activities

5/20/19 Meeting Agenda

Assumable waters

- Ex. 5 Deliberative Process (DP) memo/note for Dave R.
- Need to frame discussions on identification of waters recommendation Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Rule status

- Recommend moving option selection beyond end of June; proposing moving schedule out because:
 - **Ex. 5 Deliberative Process (DP)**
 - Issues we are unable to resolve/finalize awaiting other actions: Mitigation rule, ESA.

FL Assumption

- MOA with USACE – discussions on enforcement; still working out language and coordination
- Retained waters list
 - Ex. 5 Deliberative Process (DP)
 - USACE wants EPA and state support to finalize navigability studies

Ex. 5 Deliberative Process (DP)

ESA

- 5/13 meeting - Dave R. & David F. call with AZ on ESA; Ex. 5 Deliberative Process (DP)
- Ex. 5 Deliberative Process (DP) Need confirmation so region and we can work with them. Timing/expectations needed.
- 5-way MOA for FL - Awaiting DOI response, then sending to FL. Coordination with other agencies?

FYI:

- MI
 - Detroit District issuing permits: 5/16 - R5 provided MDE comments on one of two permits DD has claimed permitting authority over; Region sent forward as red file.
 - Ex. 5 Deliberative Process (DP)
 - **Ex. 5 Deliberative Process (DP)**
- AZ
 - Plan to publish rules in fall 2019; Ex. 5 Deliberative Process (DP)
 - Ex. 5 Deliberative Process (DP)
- MN, IN, OR, MD
 - No updates, some legislatures out of session now.
- Upcoming meetings:
 - OMB meeting – 5/21/19 2 pm
 - **Ex. 5 Deliberative Process (DP)**
 - Attending offices: OP, OST, OWOW, OGC (Simma invited), OW (Sandy E. invited)
 - USACE and Army meetings – 5/23/19 12:30-4 pm; June 10
 - Objective: Facilitated by Pat Field in person with OGC in attendance (Simma and Carrie), will focus on overview of issues we anticipate they will have interest in or have a role during or post assumption. We will discuss over two meetings seeking their thoughts and early input. See attached agenda.